THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No. 166 of 2006

DATED: 05.01.2006

Between:

B.Ch.Sriram and others.

... PETITIONERS

AND

The Controller of Examinations and others.

... RESPONDENTS

ORDER:

The petitioners are the victims of the misrepresentation made to them, by the 3rd respondent-Institution.

The 3rd respondent filed W.P.No.5948 of 2005 challenging the action of the National Council for Teacher Education (N.C.T.E.), Banglore, in not granting recognition to it. An interim order was passed on 29.04.2005 in W.P.M.P.No.7893 of 2005 in W.P.No.5948 of 2005, directing that in case the N.C.T.E. does not grant any recognition within a period of one week from the date of receipt of that order, the recognition shall be deemed to have been granted. On the strength of this order, the 3rd respondent admitted the petitioners and several other candidates. The petitioners state that they have

completed the theory course and the second respondent-University is not issuing hall tickets to enable them to take part in the practical examinations.

The learned Standing Counsel for the 1st respondent made extensive submissions on the basis of the instructions received by him. He states that Writ Petition.No.5948 of 2005 has ultimately been dismissed on 21.06.2005 and the Writ Appeal No.7223 of 2005 filed against the same by the 3rd respondent herein was dismissed on 04.07.2005. He further contends that the N.C.T.E. rejected the application of the 3rd respondent for grant of recognition and the same is the subject matter of W.P.No.2169 2005.

When it has emerged that the 3rd respondent does not have recognition of N.C.T.E, much less the affiliation to the 2nd respondent-University, the question of permitting the petitioners herein to pursue the course or to take part in the practical examinations does not arise.

Hence, the Writ Petition is disposed of, leaving it open to the petitioners to take such action, as is open to them in law, against the 3rd respondent. There shall be no order as to costs.

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05.01.2006

Jsu